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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,854	12/02/2003	Engbert Bernard Gerard Nijhof	LUM-PHNL021197	5590
32566	7590	06/17/2005	EXAMINER	
PATENT LAW GROUP LLP			LEE, WILSON	
2635 NORTH FIRST STREET				
SUITE 223				
SAN JOSE, CA 95134			ART UNIT	PAPER NUMBER
			2821	

DATE MAILED: 06/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

etc

Office Action Summary	Application No. 10/726,854	Applicant(s) NIJHOF ET AL.	
	Examiner Wilson Lee	Art Unit 2821	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☒ Claim(s) 3-8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/14/04</u> . | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections – 35 U.S.C. 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1 and 2 are rejected under 35 U.S.C. 102(e) as being anticipated by Kerenyi (6,667,583).

Regarding Claim 1, Kerenyi discloses a lighting arrangement (See Figure 2A) comprising:

a LED array (LED1-3) and a circuit arrangement (whole circuit shown in Figure 2A) for supplying the LED array, the circuit arrangement comprising a DC-DC-converter (10) (See Col. 38-51) for generating a DC output voltage V_{out} (Out) out of a DC input voltage V_{in} (V_{in}) and equipped with:

- input terminals (terminals at V_{in} and ground) for connection to a supply voltage source supplying the DC input voltage V_{in} ;

- an inductive element (L11);
- a diode (D11A);
- a switching element (P1A) for controlling the current through the inductive element (L11), a control circuit (14) coupled to a control electrode of the switching element (P1A) for generating a control signal for rendering the switching element periodically alternately conductive and non-conductive; and
- output terminals (Out, RTN terminal. See Col. 3, lines 55-60) between which the DC output voltage V_{out} is present during operation,
- wherein the LED array (LED1-3) is coupled between an input terminal (terminal at V_{in}) and an output terminal (terminal at Out).

Regarding Claim 2, Kerenyi discloses that the DC-DC converter is an up-converter (e.g. 8VDC to 400VDC) (See Col. 2, lines 40-43).

Allowable subject matter

Claims 3-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Haavisto et al. (6,320,330) discloses an illuminating electronic device comprising a similar circuit arrangement having a LED array but does not disclose a DC-DC converter for generating a DC output voltage V_{out} out of a DC input

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voltage V_{in} and input terminals for connection to a supply voltage source supplying the DC input voltage V_{in} . Johnson (5,739,639) discloses a similar circuit arrangement but fails to disclose a DC-DC converter for generating a DC output voltage V_{out} out of a DC input voltage V_{in} and input terminals for connection to a supply voltage source supplying the DC input voltage V_{in} .

Quek et al. (5,517,397), Vitello (5,719,474), and Kamens (EP 0 372 181A) cited in IDS dated 5/14/04 all fail to disclose any LED array.

IDS

European Search Report cited in IDS dated 5/14/04 on page 2 has been crossed through because all references (e.g. Quek, Vitello, and Kamens) included in the report have already been considered.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Wilson Lee whose telephone number is (571) 272-1824.

Papers related to Technology Center 2800 applications may be submitted to Technology Center 2800 by facsimile transmission. Any transmission not to be considered an official response must be clearly marked "DRAFT". The official fax number is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status

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information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Wilson Lee", written over a horizontal line.

Wilson Lee
Primary Examiner
U.S. Patent & Trademark Office

6/15/05